

# Richardson Spells Out Policy On Security Case Wiretaps

By Margaret Gentry  
Associated Press

Attorney General Elliot L. Richardson yesterday spelled out for the first time a Justice Department policy on allowing national security wiretaps.

In a letter to Senate Foreign Relations Committee Chairman J. W. Fulbright (D-Ark.), Richardson said that he will not approve any application for electronic surveillance unless it is designed:

- "To protect the nation against actual or potential attack or other hostile acts of a foreign power.

- "To obtain foreign intelligence information deemed essential to the security of the United States.

- "Or to protect national security information against foreign intelligence activities."

Richardson's statement was the first delineation of government policy on national security wiretaps since the Supreme Court ruled a year ago that the government may not conduct domestic security wiretaps without first obtaining a judicial warrant.

However, the courts did not apply that restriction to wire-

taps said to be necessary to preserve national security.

The issue arose during the Foreign Relations Committee's hearings on the nomination of White House national security adviser Henry A. Kissinger to be Secretary of State.

The committee questioned Kissinger's role in authorizing national security wiretaps on 17 individuals.

Richardson told Fulbright he outlined the policy in order to fulfill Kissinger's pledge to

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obtain a statement clarifying wiretap procedures.

The Attorney General said that he and Deputy Attorney General-designate William French Smith are supervising

an intensive effort to set up new standards for wiretaps in domestic criminal and national security cases. About 100 wiretaps of both types are in place, recent department figures showed.

Meantime, he said, he is applying the criteria of foreign intelligence to all applications for wiretaps conducted without judicial warrants.

Richardson noted the difficulty in distinguishing between domestic and foreign activities and said that he will "try scrupulously to follow the guidance and instruction given to us by Congress and the courts, bearing in mind the importance of balancing individual privacy with the needs of national security."

He contended, "I will continue to attempt to insure that a genuine national security interest is, in fact, involved whenever we invoke this power and that we operate within the limits set by Congress and the courts."

Richardson assured Fulbright that the department is following the Supreme Court order requiring warrants for electronic surveillance to gather information for domestic security cases.